



MAY 17 2004

In Re Application of: Lea EISENBACK et al.

Application No.: 09/744,804

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Art Unit: 1642

Confirmation No.: 6094

Examiner: M. YU

Filed: June 20, 2001

Washington, D.C.

For: TUMOR ASSOCIATED ANTIGEN PEPTIDES AND USE OF SAME AS ANTI-TUMOR...

Atty.'s Docket: EISENBACK=3

Date: May 17, 2004

Honorable Commissioner for Patents
U.S. Patent and Trademark Office
2011 South Clark Place
Customer Window, Mail Stop Non-Fee Amendment
Crystal Plaza Two, Lobby, Room 1B03
Arlington, Virginia 22202

Sir:

Transmitted herewith is a [XX] Amendment []

in the above-identified application.

[X] Small entity status of this application under 37 CFR 1.9 and 1.27 has been established by a verified statement previously submitted

[] A verified statement to establish small entity status under 37 CFR 1.9 and 1.27 is enclosed.

[X] No additional fee is required.

[] The fee has been calculated as shown below:

	(Col. 1)	(Col. 2)	(Col. 3)
	CLAIMS REMAINING AFTER AMENDMENT		HIGHEST NO. PREVIOUSLY PAID FOR
TOTAL	* 10	MINUS	** 49
INDEP.	* 3	MINUS	*** 4
FIRST PRESENTATION OF MULTIPLE DEP. CLAIM			
			PRESENT EXTRA EQUALS
			0

ADDITIONAL FEE TOTAL

SMALL ENTITY	
RATE	ADDITIONAL FEE
x 9	\$
x 42	\$

OR

OTHER THAN SMALL ENTITY	
RATE	ADDITIONAL FEE
x 18	\$
x 84	\$

OR

TOTAL

\$

* If the entry in Col. 1 is less than the entry in Col. 2, write "0" in Col. 3.

** If the "Highest Number Previously Paid for" IN THIS SPACE is less than 20, write "20" in this space.

*** If the "Highest Number Previously Paid for" IN THIS SPACE is less than 3, write "3" in this space.

The "Highest Number Previously Paid For" (total or independent) is the highest number found from the equivalent box in Col. 1 of a prior amendment of the number of claims originally filed.

[] Conditional Petition for Extension of Time

If any extension of time for a response is required, applicant requests that this be considered a petition therefor.

[] It is hereby petitioned for an extension of time in accordance with 37 CFR 1.136(a). The appropriate fee required by 37 CFR 1.17 is calculated as shown below:

Small Entity

Response Filed Within

[]	First	-	\$ 55.00
[]	Second	-	\$ 205.00
[]	Third	-	\$ 465.00
[]	Fourth	-	\$ 725.00

Month After Time Period Set

Other Than Small Entity

Response Filed Within

[]	First	-	\$ 110.00
[]	Second	-	\$ 410.00
[]	Third	-	\$ 930.00
[]	Fourth	-	\$ 1450.00

Month After Time Period Set

[] Less fees (\$_____) already paid for ____ month(s) extension of time on _____.

[] Please charge my Deposit Account No. 02-4035 in the amount of \$.

[] Credit Card Payment Form, PTO-2038, is attached, authorizing payment in the amount of \$.

[] A check in the amount of \$ _____ is attached (check no.).

[X] The Commissioner is hereby authorized and requested to charge any additional fees which may be required in connection with this application or credit any overpayment to Deposit Account No. 02-4035. This authorization and request is not limited to payment of all fees associated with this communication, including any Extension of Time fee, not covered by check or specific authorization, but is also intended to include all fees for the presentation of extra claims under 37 CFR §1.16 and all patent processing fees under 37 CFR §1.17 throughout the prosecution of the case. This blanket authorization does not include patent issue fees under 37 CFR §1.18.

BROWDY AND NEIMARK

Attorneys for Applicant(s)

By: 
ALLEN C. YUN
Registration No. 37,971



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:)	Art Unit: 1642
)	
EISENBACK et al.)	Examiner: M. Yu
)	
Appln. No.: 09/744,804)	Washington, D.C.
)	
Filed: January 30, 2001)	May 17, 2004
)	
For: TUMOR ASSOCIATED ANTIGEN)	Atty. Docket: EISENBACK=3
PEPTIDES AND USE OF SAME)	
AS ANTI-TUMOR VACCINES)	Confirmation No.: 6094
)	
)	

AMENDMENT

Honorable Commissioner for Patents
U.S. Patent and Trademark Office
2011 South Clark Place
Customer Window, **Mail Stop Non-Fee Amendment**
Crystal Plaza Two, Lobby, Room 1B03
Arlington, Virginia 22202

Sir:

In response to the Office Action of February 20, 2004,
please amend as follows:

Amendments to the Claims are reflected in the listing of claims which
begins on page 2 of this paper.

Remarks/Arguments begin on page 4 of this paper.

Attachments including a copy of Larocca et al. reference, and a
printout from the NCBI database are attached following page 5 of this
paper.